

House Study Bill 75

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON SWAIM)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning limitations on actions for civil liability
2 related to the dramshop Act and providing an effective and
3 applicability date provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1769HC 82
6 ec/gg/14

PAG LIN

1 1 Section 1. Section 123.93, Code 2007, is repealed.
1 2 Sec. 2. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. This
1 3 Act, being deemed of immediate importance, takes effect upon
1 4 enactment, applies to cases pending on or after the effective
1 5 date of this Act, and is retroactively applicable to injuries
1 6 occurring on or after the date two years prior to the
1 7 effective date of this Act.

1 8 EXPLANATION

1 9 This bill concerns limitations of actions relative to
1 10 dramshop Act liability. The bill repeals Code section 123.93,
1 11 which requires an injured person to give written notice to the
1 12 licensee or permittee, or their insurance carrier, of the
1 13 person's intent to bring a civil action within six months of
1 14 the occurrence of the injury giving rise to possible dramshop
1 15 liability. The bill takes effect upon enactment, applies to
1 16 all cases pending on or after that date, and applies to
1 17 injuries occurring on or after the date that is two years
1 18 prior to the effective date of the bill.
1 19 LSB 1769HC 82
1 20 ec:nh/gg/14